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C O N F I D E N T I A L SECTION 01 OF 03 KIEV 001108

SIPDIS

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TAGS: [PGOV](#) [PINR](#) [SOCI](#)

SUBJECT: UKRAINE: POSSIBLE ELECTION DAY AND POST-ELECTION
DAY SCENARIOS

Classified By: Ambassador for reasons 1.4 (b) and (d).

Summary

1. (C) With Ukraine's pivotal March 26 parliamentary (and local) election day drawing closer, claims by all sides continue that their opponents are abusing or plan to abuse administrative resources to influence election results at various levels. NGOs and international election observation missions have told us that problems remain with voter lists and polling station commissions; however, contrary to most opposition claims, these problems were scattered nationwide -- and not limited to opposition strongholds in the east and south. Moreover, our interlocutors noted that the problems were slowly getting resolved. Our contacts had no evidence to suggest that Yushchenko supporters were planning to void the results at polling stations in opposition-friendly regions. Two NGOs related that they had evidence that the opposition Ne Tak Bloc and the radical Progressive Socialist Party (PSP) were planning to dump busloads of supporters at polling stations in an attempt to force them to shut down. Ne Tak and PSP supporters were also reportedly preparing to put up a tent city in Independence Square and to file thousands of post-election nuisance lawsuits in an attempt to void the results of as many polling stations as possible. President Yushchenko's Our Ukraine bloc alleged that the Party of Regions, the likely plurality winner in Sunday's elections, would orchestrate factory strikes and mine shutdowns in eastern Ukraine to force Our Ukraine to form a majority parliamentary coalition with Regions. End summary.

Abuse of Administrative Resources...

2. (SBU) With election day (March 26) drawing nearer, opposition political parties particularly are becoming increasingly vocal in protesting what they say are the Yushchenko administration's abuse of administrative resources in the election campaign (ref A). The shrillest voices are those of the Ne Tak Bloc (a melange of Kuchma-crony parties led by former President Leonid Kravchuk), the leftist Progressive Socialist Party (PSP) (led by the bombastic Natalya Vitrenko), and, to a lesser and lower-decibel extent, ex-Kuchma PM Yanukovych's Party of Regions (ref B).

...Charges and Reality

3. (C) Throughout the steady stream of charges and counter-charges, we have checked in with the leaders of key NGOs and international election observation missions, including the local heads of OSCE/ODIHR and European Network of Election Monitoring Organizations (ENEMO), to review the main charges and separate fact from fiction. Here is what we found:

-- Accusation: The Yushchenko team is deliberately altering voter lists in opposition strongholds, especially in eastern and southern Ukraine, to disenfranchise opposition supporters.

-- Findings: Our NGO and observer mission contacts, including the head of the non-partisan Committee of Voters of Ukraine, Ihor Popov, have described the voter lists as generally being in poor shape (Ref C). Popov noted, for example, that CVU research indicated that as many as 50 percent of voter names were misspelled on current voter lists. Moreover, most voters were apathetic, not checking their names on the voter list. Popov stressed, though, that this was a nationwide problem, not one limited to only areas where opposition support was strong. ENEMO Chief Peter Novatny added that the voter list problems were the result of mismanagement and disorganization, not a central government effort to influence the vote -- a point that Popov also separately seconded. Our contacts also said that polling station workers generally were working hard to help people fix spelling mistakes (ref A).

-- Accusation: The government is deliberately hampering the work of polling station commissions in opposition strongholds, in some cases preventing the commissions from meeting.

-- Findings: Our interlocutors all acknowledged that the

problem of non-functioning polling stations was serious, but one that had been scattered nationwide -- not centered in a particular region. There was no "east-west" divide; the suggestion that polling station commissions were functioning in the pro-government west and not functioning in the east was fiction. Moreover, our contacts stressed, the problem was being actively addressed by the government. President Yushchenko signed legislation on March 17 that, among other things, expanded the number of people who could work on a polling station commissions and boosted their compensation. As of March 20, the Central Election Commission reported that only 96 (mostly in Kirovohrad) of Ukraine's roughly 33,000 polling stations were still not functioning (ref D). (Note: Polling station staffing problems were initially caused by the failure of smaller parties to provide representatives to polling station commissions.)

-- Accusation: The Yushchenko administration has secretly printed extra ballots that its supporters will use to create provocations in polling stations where opposition parties are expected to do well. Yushchenko supporters will "stuff" ballot boxes in these polling stations in an attempt to void the results.

-- Findings: None of our contacts has seen any evidence to back up this claim (which was presented to the media at a March 20 Ne Tak Bloc press conference). OSCE/ODIHR Ambassador Lubomir Kopaj told us that his mission had investigated a number of Ne Tak complaints; he described most as "vague, exaggerations or completely false" (ref A).

What Sore Losers May Do: Election Day...

14. (SBU) The head of the Europe XXI Century Foundation, Inna Pidluska, and CVU spokesman Oleksandr Chernenko told us March 22 that they had indications that the Ne Tak Bloc and PSP were planning widespread election-day provocations. Apparently panicked by internal polls indicating that they were not likely to get the required 3% of the vote needed for representation in the next Rada, the two parties were allegedly planning to have supporters converge on select polling stations in buses, in a deliberate attempt to overcrowd the facilities and force the stations to shut down. Our contacts noted that, even if this tactic did not shut down polling stations, it would exacerbate the expected long lines and long waits facing voters on Sunday.

...And Afterward

15. (SBU) Our interlocutors also asserted that Ne Tak Bloc and Vitrenko supporters were, with financing from Party of Regions MP Ihor Shkiryia, planning to set up a large tent city in Independence Square to "protest" the conduct of the elections. Our CVU contacts confirmed that they expected lawyers from the Ne Tak Bloc to file thousands of nuisance lawsuits in the days following the election, attempting to contest the results from as many polling stations as possible and generally turn the post-election situation into, as the CVU's Chernenko put it, "a complete mess."

What the First Place Finisher May Do

16. (SBU) Our Ukraine alleged on March 22 that the organization likely to garner the most votes election day, the Party of Regions, was also planning large-scale protests in the wake of the elections. Prime Minister Yekhanurov, in a press release, asserted that Regions would orchestrate strikes at Donbas coal mines and factories to pressure Our Ukraine into forming a governing coalition with Regions. Our NGO contacts seconded Yekhanurov's view that Regions might attempt to create unrest in places around the country in the wake of the elections. Inna Pidluska noted that the situation in the east, in particular, was extremely tense; while stumping in eastern and southern Ukraine, Regions MPs were coarsely referring to Yushchenko's government as "those Orange bastards."

Comment

17. (C) Despite the voter list problems and the delay in getting some polling stations functioning, reputable NGOs and international election observation groups have underscored to us that this has been the freest and fairest election campaign in Ukraine's post-independence history. In fact, several NGOs have argued that many of the campaign's organizational glitches can be blamed on the Yushchenko administration's reluctance to intervene to fix problems lest it be accused of abusing its administrative powers. Most of the bellyaching about alleged Yushchenko administration administrative resource abuse has come from parties with obvious political motivations and a history of abuse when they controlled the admin resources.

